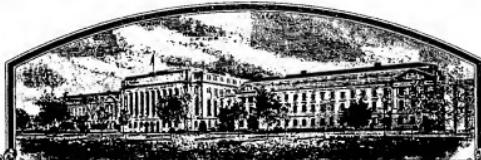


No.



200500083

THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Pioneer Hi-Bred International, Inc.

Whereas, THERE HAS BEEN PRESENTED TO THE

Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED DISTINCT VARIETY OF SEXUALLY REPRODUCED, OR TUBER PROPAGATED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HERETO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF TWENTY YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC ENRICHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, OR SPLITTING IT, OR EXPORTING IT, OR CONDITIONING IT FOR PROPAGATION, OR STOCKING IT FOR ANY OF THE ABOVE PURPOSES, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED IN THE PLANT VARIETY PROTECTION ACT. (84 STAT. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

SOYBEAN

'94M50'

In Testimony Whereof, I have hereunto set my hand
and caused the seal of the Plant Variety
Protection Office to be affixed at the City of
Washington, D.C. this twenty-third day of June,
in the year two thousand and five.

Attest:



R. L. Johnson *M. L. Johnson*

REPRODUCE LOCALLY. Include form number and date on all reproductions

**U.S. DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH SERVICE - PLANT VARIETY PROTECTION OFFICE**
APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE
(Instructions and Information collection burden statement on reverse)

Form Approved - OMB No. 0311-0005

1. NAME OF OWNER: Pioneer Hi-Bred International, Inc.		2. TEMPORARY DESIGNATION OR EXPERIMENTAL NAME: XB4004	3. VARIETY NAME: 84N60
4. ADDRESS: (Street and No., or P.R.D. No., City, State, and ZIP Code, and Country) 7200 N.W. 67th Avenue P.O. Box 1004 Johnston, IA 50131-1004		5. TELEPHONE (include area code): 515-254-2638	6. FAX (include area code): 515-254-2476
7. IF THE OWNER NAMED IS NOT A "PERSON", GIVE FORM OF ORGANIZATION (proprietor, partnership, association, etc.) Corporation		8. IF INCORPORATED, GIVE STATE OF INCORPORATION: Iowa	9. DATE OF INCORPORATION: May 8, 1926
10. NAME AND ADDRESS OF OWNER REPRESENTATIVE(S) TO SERVE IN THIS APPLICATION. (Final person listed will receive all papers) Doris Schmidt, Ph. D. State Cellarist, Exm 7200 N.W. 67th Avenue P.O. Box 1004 Johnston, IA 50131-1004		11. CROP KIND (Common Name): Soybean	
11. TELEPHONE (include area code): 515-254-2638	12. FAX (include area code): 515-253-2476	13. E-MAIL: daschmidt@pioneer.com	14. CROP KIND (Common Name): Soybean
<p>18. CHECK APPROPRIATE BOX FOR EACH ATTACHMENT SUBMITTED (Follow instructions on reverse)</p> <ul style="list-style-type: none"> <input type="checkbox"/> X Exhibit A. Origin and Breeding History of the Variety <input type="checkbox"/> X Exhibit B. Statement of Originality <input type="checkbox"/> X Exhibit C. Objective Description of Variety <input type="checkbox"/> X Exhibit D. Additional Description of the Variety (Optional) <input type="checkbox"/> X Exhibit E. Statement of the Owner's Ownership <input type="checkbox"/> X Voucher Sample (2,000 whole unstrimmed seeds or, for tuber propagated varieties, notification that tissue culture will be deposited and maintained in an approved public repository) <input type="checkbox"/> X Filing and Examination Fee (\$2,000, made payable to "Treasurer of the United States" paid to the Plant Variety Protection Office) 			
<p>16. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE SOLD AS A CLASS OF CERTIFIED? See Section 62(a) of the Plant Variety Protection Act</p> <ul style="list-style-type: none"> <input type="checkbox"/> YES (Please answer items 20 and 21) <input type="checkbox"/> NO (If "no", go to Item 22) 			
<p>20. DOES THE OWNER SPECIFY THAT SEED OF THIS VARIETY BE LIMITED AS TO NUMBER OF CLASSES? YES NO</p> <p>IF YES, WHICH CLASSES? <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED</p>			
<p>21. DOES THE OWNER SPECIFY THAT THE CLASSES BE LIMITED AS TO NUMBER OF GENERATIONS? YES NO</p> <p>IF YES, SPECIFY THE NUMBER: 1, 2, 3, etc. <input type="checkbox"/> FOUNDATION <input type="checkbox"/> REGISTERED <input type="checkbox"/> CERTIFIED</p> <p>(If additional explanation is necessary, please use the space indicated on the reverse.)</p>			
<p>22. HAS THE VARIETY (INCLUDING ANY HARVESTED MATERIAL) OR A HYBRID PRODUCED FROM THIS VARIETY BEEN SOLD, DISPOSED OF, TRANSFERRED, OR USED IN THE U.S. OR OTHER COUNTRY? YES NO</p> <p>IF YES, YOU MUST PROVIDE THE DATE OF FIRST SALE, DISPOSITION, TRANSFER, OR USE EACH TIME IT OCCURRED. (Please use space indicated on reverse.)</p>			
<p>24. The owner declares that a valid sample of the seeds of the variety will be furnished to the Office of the Plant Variety Protection Office and to the repository service requested for the duration of the certificate. The undersigned owner(s) he/she(s) the owner of this newly reproduced or tuber propagated plant variety, and is entitled to protection under the provisions of Section 42 of the Plant Variety Protection Act. Owner(s) he/she(s) informed that this representation herein can confer protection and result in penalties.</p>			
SIGNATURE OF OWNER: <i>Doris H. Schmidt</i>		SIGNATURE OF OWNER:	
NAME (Please print or type) Doris H. Schmidt		NAME (Please print or type)	
CAPACITY OR TITLE Director, Technology Integration and Associate Genetics		CAPACITY OR TITLE 1/17/05	CAPACITY OR TITLE DATE

GT-470 (04-01) (revised by the Plant Variety Protection Office with WordPerfect 4.0e. Replaces GTD-470 (02-02) which is obsolete. (See reverse for Instructions and Information collection burden statement)

INSTRUCTIONS

200500083

GENERAL: To be effectively filed with the Plant Variety Protection Office (PVPO), ALL of the following items must be received in the PVPO: (1) Completed application form signed by the owner; (2) completed exhibits A, B, C, E, (3) for a seed reproduced variety, at least 2,500 viable units of the variety or a hybrid variety at least 2,500 viable seeds; (4) payment of filing fees, including the filing fee for laboratory analysis and a fee for a viable (in the sense of it being able to germinate) tissue culture will be deposited and maintained in an approved public repository; (4) check drawn on a U.S. bank for \$2,705 (\$320 filing fee and \$2,385 examination fee), payable to "Treasury of the United States" (See Section 97.6 of the Regulations and Rules of Practice.) Partial applications may be held in the PVPO for not more than 90 days, then returned to the applicant as unfiled. Mail application and other requirements to Plant Variety Protection Office, AMS, USDA, Room 500, NAC Building, 10301 Baltimore Avenue, Beltsville, MD 20705-2351. **Retain one copy for your files.** All items on the face of the application are self explanatory unless noted below. Corrections on the application form and exhibits must be initialed and dated. DO NOT USE masking materials to make corrections. If a certificate is allowed, you will be requested to send a check payable to "Treasury of the United States" in the amount of \$320 for issuance of the certificate. Certificate will be issued to owner, not licensee or agent.

Plant Variety Protection Office

Telephone: (301) 504-5518

FAX: (301) 504-5291

Homepage: <http://www.ams.usda.gov/scicentral/pvlpvp/p.htm>

EM

- a. Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) evidence of uniformity and stability; and (4) the type and frequency of varieties showing reproduction and multiplication and state how these varieties may be identified.
- b. Give a summary of the variety's distinctness. Clearly state how this application variety may be distinguished from all other varieties in the same crop. If the new variety is most similar to one variety or a group of related varieties:
- (1) identify these varieties and state all differences objectively;
 - (2) attach statistical data for characters specific to the variety and demonstrate that these are clear differences; and
 - (3) submit, if helpful, seed and plant specimens or photographs (prints) of seed and plant comparisons which clearly indicate distinctness.
- c. Exhibit C forms are available from the PVPO Office for most crops; specify crop kind. Fill in Exhibit C (Objective Description of Variety) form as completely as possible to describe your variety.
- d. Optional additional characteristics endor photographs. Describe any additional characteristics that cannot be accurately conveyed in Exhibit C. Use comparative varieties as necessary to reveal more accurately the characteristics that are difficult to describe, such as plant habit, plant color, disease resistance, etc.
- e. Section 52(b) of the Act requires applicants to furnish a statement of the basis of the applicant's ownership. An Exhibit E form is available from the PVPO. If "Yes" is specified (Is this variety be sold by variety name only, as a class of certified seed), the applicant MAY NOT reverse this affirmative decision after the variety has been sold and so labeled, the decision published, or the certificate issued. However, if "No" has been specified, the applicant may change the choice. (See Regulations and Rules of Practice, Section 97.103).

See Section 83 of the Act for the Contents and Term of Plant Variety Protection.

See Sections 41, 42, and 43 of the Act and Section 97.5 of the regulations for eligibility requirements.

See Section 5.5 of the Act for instructions on claiming the benefit of an earlier filing date.

CONTINUED FROM FRONT (Please provide a statement as to the limitation and sequence of generations that may be certified.)

CONTINUED FROM FRONT (Please provide the date of first sale, disposition, transfer, or use for each country and the circumstances, if the variety (including any harvested material) or a hybrid produced from this variety has been sold, disposed of, transferred, or used in the U.S. or other countries.)

CONTINUED FROM FRONT (Please give the country, date of filing or issuance, and assigned reference number, if the variety or any component of the variety is protected by intellectual property right (Plant Breeder's Right or Patent).)

B. Patent 4,940,635 Issued to Shah et al. as per the Roundup Ready Gene in this variety

NOTES: It is the responsibility of the applicant-owner to keep the PVPO informed of any changes of address or change of ownership or assignment or owner's representative during the life of the application/certificate. There is no charge for filing a change of address. The fee for filing a change of ownership or assignment or modification of owner's name is specified in Section 97.175 of the regulations. (See Section 101 of the Act, and Sections 97.130, 97.131, 97.175(h) of the regulations and Rules of Practice.)

avoid conflict with other variety names in use, the applicant must check the variety names proposed by contacting: Seed Branch, AMS, USDA, Room 213, Beltsville Agricultural Research Center-East, Beltsville, MD 20705. Telephone: (301) 504-8099.

Refugee to the Paperwork Reduction Act of 1995, no agency may set burden or sponsor, and a person is not required to respond to a collection of information unless it displays a valid OMB control number. The valid OMB control number for this collection of information is (0541-0515). The time required to complete this information collection is estimated to average 1.4 hours per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

U.S. Department of Agriculture (USDA) prohibits discrimination in its programs and activities on the basis of race, color, national origin, gender, religion, age, disability, political beliefs, sexual orientation, and marital or family status. Persons with disabilities who require alternative formats for communication of program information (Braille, large print, audiotape, etc.) should contact the USDA's TARGET Center at 202-720-2600 (voice and TDD). To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, Room 326-W, Whitten Building, 14th and Independence Avenue, SW, Washington, DC 20250-4150 or call (202) 720-5964.

470 (04-01) designed by the Plant Variety Protection Office with WordPerfect 5.0. Replaces ST-470 (03-00) which is obsolete.

2 0 0 5 0 0 0 8 3

Exhibit A. Origin and Breeding History of the Variety

Soybean Variety 94M50

Variety 94M50 evolved from a cross made in the spring of 1999 in Puerto Rico with the following parentage:

XB46L99/T00593H117
XB46L99 = CX469C/9451
T00593H117 = S4260/9492*

*9492 is a commercial line with the Roundup Ready (40-3-2) gene

Variety 94M50 is an F3-derived line which was advanced to the F3 generation by modified single-seed descent. The F3 progeny row of 94M50 was grown in a plant row in Illinois in 2000. The line was grown in an additional season of yield trial testing in the winter of 2000/2001 in Argentina. Subsequently, 94M50 has undergone four years of extensive testing and purification and has been observed by the breeder to be uniform and stable for all plant traits from generation to generation, with no evidence of variants. On the basis of yield, Phytophthora resistance, soybean cyst nematode Race 3 resistance, and resistance to Roundup branded herbicides, variety 94M50 was assigned a commercial number.

The purification block was grown during the summer of 2002 in Illinois and 48 sublines were harvested. An approximately half (1/2) acre increase was grown in Argentina in the winter of 2002/03. Twenty-four (24) acres of parent seedstock (foundation seed equivalent) were grown in 2003 and approximately 535 acres of seedstock and production seed were grown in the summer of 2004.